

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (RCC)
ECF Case

This document relates to:

Federal Insurance Co. v. al Qaida, 03 CV 06978 (RCC)

**AFFIRMATION OF SEAN P. CARTER TRANSMITTING SUPPLEMENTAL
EVIDENCE IN OPPOSITION TO ALL MOTIONS TO DISMISS UNDER THE
FOREIGN SOVEREIGN IMMUNITIES ACT**

Sean P. Carter, Esq., affirms as follows:

1. I am an attorney admitted to practice *pro hac vice* in the above-captioned matter, and a member of the law firm Cozen O'Connor. I submit this Affirmation to transmit to the Court the following documents submitted in opposition to all Motions to Dismiss under the Foreign Sovereign Immunities Act.

2. In connection with several previous filings, plaintiffs have submitted to the Court a true and accurate copy of The Second Report of the Monitoring Group on Sanctions on al Qaida, the Taliban, and Individuals and Entities Associated with Them, published by the United Nations Security Council on December 2, 2003 (hereinafter the "UN Report").

3. On page 15 of the UN Report, the Security Council Monitoring Group on al Qaida and the Taliban references and cites to a "recently published report by the United States Central Intelligence Agency" (hereinafter the "CIA Report").

4. Footnote d on page 15 of the UN Report indicates that excerpts from the text of the CIA Report are available through the Internet at <http://www.centerforsecuritypolicy.org/cia96charities.pdf>.

5. Attached hereto as Exhibit 1 is a true and accurate copy of the document retrieved from <http://www.centerforsecuritypolicy.org/cia96charities.pdf>.

6. Exhibit 2 to this Affirmation is a true and accurate copy of an article entitled, *A Helping Hand from Saudi Arabia*, published by U.S. News & World Report, on July 8, 1996.

7. Exhibit 3 to this Affirmation is a true and accurate copy of an article entitled, *It's More Than Just Who Plants Explosives*, published by Daily News, on July 31, 1996.

8. Exhibit 4 to this Affirmation is a true and accurate translation from Arabic to English of an interview with Dr. Abdullah bin Saleh al-Obeid, Secretary General of the Muslim World League, published in *The Muslim World* magazine on July 21-27, 1997.

9. Exhibit 5 to this Affirmation is a true and accurate copy of an article entitled, *Kenya: Gov't Shuts Down Five Islamic Relief Agencies*, published by the Inter-Press Services/Global Information Network, on September 10, 1998.

10. Exhibit 6 to this Affirmation is a true and accurate copy of International News Briefs from South Africa, Kenya, Portugal, Nigeria and the Ivory Coast, published by the Associated Press Worldstream, on September 18, 1998.

11. Exhibit 7 to this Affirmation is a true and accurate copy of an article entitled, *Bin Laden Providing Money, Military Aid to MILF*, published by the Japan Economic Newswire, on September 10, 1998.

12. Exhibit 8 to this Affirmation is a true and accurate copy of an article entitled, *A Terrorist Plot Unearthed*, published by Frontline, on February 27-March 12, 1999.

13. Exhibit 9 to this Affirmation is a true and accurate copy of an article entitled, *Overseas Immigration News*, which appeared on www.immlawyers.com, on May 21, 1999.

14. Exhibit 10 to this Affirmation is a true and accurate copy of an article entitled, *Russian Troops Find Arab, Bosnian Passports in Chechnya*, published in ITAR-TASS, in February 2000.

15. Exhibit 11 to this Affirmation is a true and accurate copy of an article entitled, *Bin Laden Funds Abu Sayyaf Through Muslim Relief Group*, published in the Philippine Daily Inquirer, on August 9, 2000.

16. Exhibit 12 to this Affirmation is a true and accurate copy of an article entitled, *Gemma Linked to Bin Laden Group Funding Sayyaf, MILF*, published in the Philippine Daily Inquirer, on August 10, 2000.

17. Exhibit 13 to this Affirmation is a true and accurate copy of an article entitled, *Osama Gave Funds to Abu Sayyaf: Manila*, which appeared on www.e-borneo.com, on August 10, 2000.

18. Exhibit 14 to this Affirmation is a true and accurate copy of an article entitled, *Police Officer Claims Bin-Ladin's networks in Philippines Remains Intact*, published in the Philippine Daily Inquirer, on September 20, 2001.

19. Exhibit 15 to this Affirmation is a true and accurate copy of an article entitled, *U.S. Charities Checked in Probe of Terrorism Funds*, published in the Daily News, on September 22, 2001.

20. Exhibit 16 to this Affirmation is a true and accurate copy of an article entitled, *Pakistan Deporting 89 Arab Aid Workers*, which appeared on www.foxnews.com, on October 6, 2001.

21. Exhibit 17 to this Affirmation is a true and accurate copy of an article entitled, *Orphanages in Southern Philippines Under Probe*, which appeared on www.gulf-news.com, on February 10, 2001.

22. Exhibit 18 to this Affirmation is a true and accurate copy of an article entitled, *Kenya Bans Six Islamic Aid Agencies After US Embassy Bombing*, published by The Associated Press, on September 9, 1998.

23. Exhibit 19 to this Affirmation is a true and accurate copy of an article entitled, *Kenya: Gov't Shuts Down Five Islamic Relief Agencies*, published by the Inter Press Service/Global Information Network, on September 10, 1998.

24. Exhibit 20 to this Affirmation is a true and accurate copy of an article entitled, *Banned Islamic NGOs*, published in The Indian Ocean Newsletter, on September 12, 1998.

25. Exhibit 21 to this Affirmation is a true and accurate copy of an article entitled, *Panel Cites US Failures on Security for Embassies*, published in The Washington Post, on January 8, 1999.

26. Exhibit 22 to this Affirmation is a true and accurate copy of an article entitled, *Unheeded Warnings: A Special Report: Before Bombings, Omens and Fears*, published in The New York Times, on January 9, 1999.

27. Exhibit 23 to this Affirmation is a true and accurate copy of an article entitled, *The War Coffers of the Chechen Terrorists*, published by Moskovskie Novosti, on March 28, 2000.

28. Exhibit 24 to this Affirmation is a true and accurate copy of an article entitled, *Military Warns of New Rebel Offensive in Chechnya*, published by the Associated Press Worldstream, on May 19, 2000.

29. Exhibit 25 to this Affirmation is a true and accurate copy of an article entitled, *FSB Says Money Collected for Chechen Rebels Goes to Private Accounts of Basayev and Khattab*, published by the RosBusiness Consulting Database, on June 26, 2000.

30. Exhibit 26 to this Affirmation is a true and accurate copy of an article entitled, *Al-Qaida Continues to Siphon Money from Islamic Charities to Fund Attacks Despite US, Saudi Crackdown*, published by The Associated Press, on June 6, 2004.

31. Exhibit 27 to this Affirmation is a true and accurate copy of an article entitled, *Bosnia Gains Arms Despite Embargo; Friendly Arab Nations Fund Supply*, published in The Washington Times, on July 5, 1994.

32. Exhibit 28 to this Affirmation is a true and accurate copy of an article entitled, *Islamic Force in Bosnia May Threaten US Troops*, published in the Charleston Gazette, on December 3, 1995.

33. Exhibit 29 to this Affirmation is a true and accurate copy of a Report by the Special Representative of the Secretary General of the Council of Europe in Bosnia and Herzegovina covering the period July to September 2000, published on September 27, 2000.

34. Exhibit 30 to this Affirmation is a true and accurate copy of an article entitled, *Terrorist Material Found in Sarajevo Charity Raid*, published in The Guardian, on February 23, 2002.

35. Exhibit 31 to this Affirmation is a true and accurate copy of an article entitled, *US Eyes Saudi File on Terror Targets*, published in The Washington Times, on February 25, 2002.

36. Exhibit 32 to this Affirmation is a true and accurate copy of an article entitled, *Aid Agencies in Bosnia Investigated over Links With International Terrorism*, published by the Global News Wire – Asia Africa Intelligence Wire, on February 26, 2002.

37. Exhibit 33 to this Affirmation is a true and accurate copy of an article entitled, *Bosnian Charities Tied to Terror*, published in The Boston Globe, on July 2, 2002.

38. Exhibit 34 to this Affirmation is a true and accurate copy of an article entitled, *US Fears Terrorist attack in Kosovo*, published by the BBC News, on April 3, 2000.

39. Exhibit 35 to this Affirmation is a true and accurate copy of an article entitled, *Islamic Fundamentalism in the Balkans*, published in the Partisan Review, in 2000.

40. Exhibit 36 to this Affirmation is a true and accurate copy of an article entitled, *The Saudi Connection*, which appeared on www.usnews.com, on December 15, 2003.

41. Exhibit 37 to this Affirmation is a true and accurate copy of an article entitled, *Saudi Charity Worried French in '94*, published in *The Wall Street Journal*, on January 13, 2004.

42. Exhibit 38 to this Affirmation is a true and accurate copy of a translation from Arabic to English of a transcript of an interview of Prince Khaled Al Faisal, Prince of the Aseer District- Saudi Arabia, on the Saudi TV program *Eda'at*, which appeared on *Al Arabia*, on July 14, 2004.

43. Exhibit 39 to this Affirmation is a true and accurate translation from Arabic to English of an article reporting on a speech by Prince Salman bin Abdul Aziz al Saud, which appeared in the newspaper *Okaz*, on January 5, 2000.

44. Exhibit 40 to this Affirmation is a true and accurate copy of the Reasons for Order of Justice B. Cullen in the Canadian immigration proceeding captioned Minister of Citizenship and Immigration v. Mahmoud Jaballah, Federal Court of Canada, DES-6-99.

45. Exhibit 41 to this Affirmation is a true and accurate copy of testimony before the House Committee on Financial Services Subcommittee on Oversight and Investigations, entitled, *Investigating Patterns of Terrorism Financing*, published by the Federal Document Clearing House, on February 12, 2002.

46. Exhibit 42 to this Affirmation is a true and accurate copy of a case study entitled, *Al Qaeda Finances and Funding to Affiliated Groups*, published by the Center for Contemporary Conflict, in January 2005.

47. Exhibit 43 to this Affirmation is a true and accurate translation from Arabic to English of an article entitled, *American Report: Rich People Pay Him Money in Aid and Extortion; Bin Laden Offers to Leave Afghanistan*, which appeared in the newspaper *Al Bayan*, on October 30, 1999.

48. Exhibit 44 to this Affirmation is a true and accurate copy of testimony before the Committee on International Relations House of Representatives entitled, *Al-Qaeda and the Global Reach of Terrorism*, available at www.house.gov and published on October 3, 2001.

49. Exhibit 45 to this Affirmation is a true and accurate copy of an United Nations Resolution 51/210 entitled, *Measures to Eliminate International Terrorism*, available at www.un.org and published on December 17, 1996.

50. Exhibit 46 to this Affirmation is a true and accurate copy the *International Convention for the Suppression of the Financing of Terrorism*, adopted by the United Nations as Resolution 54/109 on December 9, 1999.

51. Exhibit 47 to this Affirmation is a true and accurate copy of a hearing before the Committee on Governmental Affairs of the United States Senate entitled, *Terrorism Financing: Origination, Organization and Prevention*, held on July 31, 2003.

52. Exhibit 48 to this Affirmation is a true and accurate copy of a hearing before the House of Representatives Subcommittee on the Middle East and Central Asia, Committee on International Relations, entitled, *Saudi Arabia and the Fight Against Terrorism Financing*, held on March 24, 2004.

53. Exhibit 49 to this Affirmation is a true and accurate copy of a study entitled, *Saudi Arabia: Terrorist Financing Issues*, published by the Congressional Research Service, on December 8, 2004.

Affirmed in Philadelphia, Pennsylvania on June 1, 2005.

/s/

Sean P. Carter

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